

REMARKS

This Amendment in an RCE is filed in response to the Final Action of November 10, 2009 in which claims 1-18, 20, 21, 23 and 24 were rejected.

Regarding the 35 U.S.C. § 101 rejection of claims 19-22, claims 19 and 22 have been cancelled and claims 20-21 amended to recite that the computer readable medium comprises non-transitory program code in accordance with the memorandum of January 26, 2010 by David J. Kappos concerning subject matter eligibility of computer readable media. Withdrawal of the 35 U.S.C. § 101 rejection is requested.

Regarding the 35 U.S.C. § 102 rejection, the independent claims have been amended.

As stated in the specification at page 3 beginning at line 9, a drawback of the prior art is that each RFID tag provides information which is dedicated to one distinct purpose limited for use for one pre-defined service (purpose). Another drawback is that information stored in the RFID tag that identifies the service may be outdated by being modified or moved (such as a URL) so that the RFID tag information may not still be useable and/or legal, since otherwise the information has to be replaced e.g. in the tag or re-programmed e.g., on the service provider side.

The present invention provides a three-fold solution. First, to solve the drawback of the prior art of an RFID tag being limited to a single purpose, the present invention provides for an RFID tag to be associated with a plurality of tag services. Second, to provide the user with access to such services, the invention provides for predefined user subscription to a plurality of such services. Third, the present invention provides an interface that performs an intermediary function by retrieving both the subscriber identification information and the tag identification sequence and then comparing the service information with the subscription information to select one or more subscribed services corresponding to one or more services associated with the tag identification sequence. It will be appreciated from these claimed limitations that the result overcomes the drawbacks mentioned above.

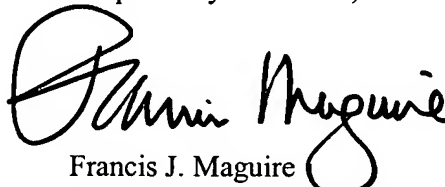
In the rejection of claim 2, the Examiner points to the secondary *Catan* reference (US 2002/0139859) to supply the subscription retrieving component for obtaining subscription information associated with the subscriber identification and checking for comparing the service information with the subscription information to select one or more subscribed services. It is alleged that *Catan* discloses such a feature at paragraph 0066 lines 7-9, 18-21 and 26-36 where the network server performs an interaction process with the data received which includes

acquiring person profile information which is stored on the server or third party database and including elements such as the user interested in sports and favorite colors and using the data to generate a cross-selling promotion.

However, the proposed combination of the primary and secondary references does not result in the limitations of the amended claims where the subscriber identification is associated with the plurality of subscribed services and the radio frequency identification tag identification sequence is likewise associated with a plurality of tag services. Therefore, the claimed function is for the purpose of finding correspondences between the plurality of subscribed services and the plurality of tag services so as to be in a position to provide the services that correspond to each other. This is not shown by the combined primary and secondary references of *Burton* (GB 2375265) in view of *Catan* (US 2002/0139859). Withdrawal of the novelty and obviousness rejections of the independent claims is requested since all of the independent claims have been amended in the same fashion or similar to the amendments made to claim 1. The dependent claims are novel and nonobvious for at least the same reasons.

The objections and rejections of the Office Action of November 10, 2009, having been obviated by amendment, withdrawal thereof is requested and passage of claims 1-18, 20, 21, 23 and 24 to issue is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Francis J. Maguire". The signature is fluid and cursive, with a large loop at the end of the last name.

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